

package form and failed to bear a plain and conspicuous statement of the quantity of the contents, since the statement made was not correct.

On October 26, 1929, no claimant having appeared for the property, judgment was entered ordering that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16955. Adulteration of walnut pieces. U. S. v. 11 Cases of Walnut Pieces. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 24302. I. S. No. 028533. S. No. 2550.)

On December 3, 1929, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 11 cases of walnut pieces, remaining in the original unbroken packages at New York, N. Y., consigned by Antonio Vilanova, Tarragona, Spain, alleging that the article had been imported from Spain, into the State of New York, on or about February 16, 1929, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Walnut Pieces Arlequins, Produce of Spain."

It was alleged in the libel that the article was adulterated in that it consisted in part of a filthy, decomposed, and putrid substance, to wit, wormy, rancid, and decomposed nuts.

On January 7, 1930, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16956. Adulteration of butter. U. S. v. 100 Cases, et al., of Butter. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 24020. I. S. Nos. 08563, 08566. S. No. 2147.)

On or about July 29, 1929, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 100 cases and 57 tubs of butter, remaining in the original unbroken packages at Boston, Mass., consigned about July 17, 1929, alleging that the article had been shipped by the North American Creameries (Inc.), Paynesville, Minn., and transported from the State of Minnesota into the State of Massachusetts, and charging adulteration in violation of the food and drugs act.

It was alleged in the libels that the article was adulterated in that a substance containing less than 80 per cent by weight of milk fat had been substituted in whole or in part for butter, which the said article purported to be, the act of Congress approved March 4, 1923, providing that butter contain not less than 80 per cent by weight of milk fat.

On August 1, 1929, the North American Creameries Co. (Inc.), Boston, Mass., having appeared as claimant for the property and having admitted the allegations of the libels, and the cases having been consolidated into one cause of action, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a bond in the sum of \$2,500, conditioned in part that it be reworked so as to contain at least 80 per cent of butterfat.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16957. Adulteration and misbranding of cheese. U. S. v. 17 Boxes, et al., of Cheese. Decrees of condemnation entered. Product released under bond. (F. & D. Nos. 23423, 23464. I. S. Nos. 01306, 01307, 05224, 05225. S. Nos. 1627, 1652.)

On February 21 and February 28, 1929, respectively, the United States attorney for the District of Minnesota, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 82 boxes of cheese, remaining in the original unbroken packages at Minneapolis, Minn., alleging that the article had been shipped by C. A. Linzmeyer (or Linzmeier), in part on December 4, 1928, and in part on January 31, 1929, from Elmwood, Wis., and transported from the State of Wisconsin into the State of Minnesota, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: (On cheese) "Cheese Factory * * * State of Wisconsin Department of Markets Wisconsin No. 1 (or "Wis. No. 1")."